

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

FREDDIE L. DILLARD,

Petitioner,

v.

RAMSEY COUNTY SHERIFF
BOB FLETCHER,

Respondent.

Civil No. 09-1165 (JNE/JJG)

**ORDER ON REPORT AND
RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, (Doc. No. 1), is **DENIED**;
2. Petitioner's application for leave to proceed in forma pauperis, (Doc. No. 2), is **DENIED**; and
3. This action is summarily **DISMISSED** without prejudice for lack of jurisdiction.

Dated: June 16, 2009

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge